

lying west and north of a line commencing at the junction of the north boundary of Canyon County and Range 4, Township 12 east, thence south along this line to Soeck Road, thence west along Soeck Road one-fourth mile to Notus Road, thence south along Notus Road to Highway 19, thence west one mile along Highway 19 to Friends Road, thence south along Friends Road to Boundary Road, thence east one-half mile along Boundary Road to Plum Road, thence south along Plum Road to Homedale Road, thence west along Homedale Road to the western boundary of Canyon County.

(2) District No. 6 (Caldwell-Nampa-Homedale and southern Idaho area): That portion of Canyon County not included in District No. 5 plus all of the counties in the Idaho portion of the production area not included within District No. 1.

(b) Terms used in this section have the same meaning as when used in said marketing agreement and this part.

[39 FR 1601, Jan. 11, 1974]

Subpart—Assessment Rates

§ 958.240 Assessment rate.

On and after July 1, 2003, an assessment rate of \$0.095 per hundredweight is established for Idaho-Eastern Oregon onions.

[68 FR 48531, Aug. 14, 2003]

Subpart—Handling Regulations

§ 958.328 Handling regulation.

No person shall handle any lot of onions, except braided red onions, unless such onions are at least “moderately cured,” as defined in paragraph (h) of this section, and meet the requirements of paragraphs (a), (b), and (c) of this section, or unless such onions are handled in accordance with paragraphs (d), (e) and (f) or (g) of this section.

(a) *Grade and size requirements*—(1) *White varieties*. Shall be either:

(i) U.S. No. 1, 1 inch minimum to 2 inches maximum diameter; or

(ii) U.S. No. 1, at least 1½ inches minimum diameter. However, neither of these two categories of onions may be commingled in the same bag or other container.

(2) *Red varieties*. U.S. No. 2 or better grade, at least 1½ inches minimum diameter.

(3) *All other varieties*. Shall be either:

(i) U.S. No. 2 or U.S. Commercial grade, at least 3 inches minimum diameter, but not more than 30 percent of the lot shall be comprised of onions of U.S. No. 1 quality when packed in containers weighing less than 60 pounds; or

(ii) U.S. No. 1, 1¾ inches minimum to 2¾ inches maximum diameter; or

(iii) U.S. No. 1, at least 2¼ inches minimum diameter.

However, none of these three categories of onions may be commingled in the same bag or other container.

(b) *Pack*. Onions packed as U.S. Commercial grade in containers weighing less than 60 pounds shall have the grade marked permanently and conspicuously on the container.

(c) *Inspection*. No handler may handle any onions regulated hereunder unless such onions are inspected by the Federal-State Inspection Service and are covered by a valid applicable inspection certificate, except when relieved of such requirement pursuant to paragraph (d), (e) or (g) of this section.

(d) *Onions for peeling, chopping or slicing*. Onions that have been inspected and certified as meeting the requirements of paragraphs (a) and (b) of this section and that are subsequently peeled, chopped, or sliced for fresh market within the production area may be handled without reinspection. Each handler making shipments of onions for such purposes shall provide the committee with a copy of the original inspection certificate verifying that minimum marketing order requirements have been met. Such handlers shall also document on forms provided by the committee, in quadruplicate, the intended use and destination of the onions, referencing the inspection certificate number. Two copies of such forms shall be sent on shipment to the handler altering the onions destined for fresh market, and one copy will be mailed to the committee. Upon receipt, the handler responsible for altering such onions will document the weight of the finished product and promptly return one signed copy to the committee. Handlers who peel, chop or